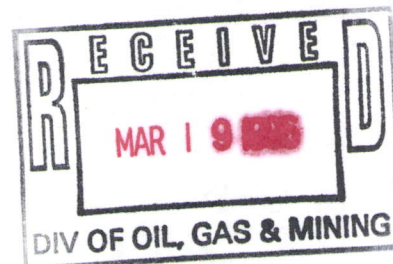


United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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Salt Lake City, Utah 84145-0155



IN REPLY REFER TO:
3809
(UT-921)

March 12, 1996

To: Rex Rowley
From: Terry McParland
Subject: Items to Discuss at Upcoming Interagency Meeting Concerning Jumbo Mining Company

Sorry for the delay but unforeseen circumstances prevented an earlier response. Since the meeting with UDOGM and other State agencies was rescheduled for March 19 or was it the 20, I didn't think it would be a problem to send this to you today.

I reviewed the information I have on the Jumbo Mining Company and recommend that the following items be checked and if appropriate discussed at the joint agency meeting regarding reclamation of this site:

1. All items in the March 10, 1995 notice of noncompliance and April 3, 1995 letter clarifying each item based on an inspection on March 20, 1995 must be checked to determine the current status of each of the nine items. For example was the letter from Bowen, MSHA certified electrician acceptable to all parties that the transformers do not contain PCB's? Were the underground storage tanks properly permit? If not what actions need to be taken by the State? Item 4 address the potential for classifying the sample bags as potentially hazardous. Mr. Hartshorn provided Rody information addressing how the samples were handled, tested, and disposed. Therefore, Rody accept this explanation for determining that the sample bags are no longer considered a hazardous waste. Item 4 only needs to be addressed as a reclamation issue now. Was a third party contractor ever hired to take samples of the contents of a representative number of barrels in accordance with April 3, 1995 letter? Were the lead acid batteries removed and either properly disposed of or recycled? A receipt or other documentation was required to confirm this action. Was sampling of soil stains ever completed? If so what were the results? Did Mr. King meet with BLM, UDOGM, and DWQ to discuss steps for proper evaluation and mitigation of the contaminated perched aquifer located on and adjacent to the Drum Mine? Was the laboratory cleaned up and is it being maintained in a safe and neat manner? Were items 1-3 corrected by April 10, 1995? If not, why not? Was sampling of the of waste in the trenches ever completed?

Were the five items listed in a letter dated April 24, 1995 to Mr. King from the Division of Solid and Hazardous Waste ever addressed by Mr. King? What were the results of the sampling that Doug Taylor had done on the site?

If Jumbo Mining Company did not satisfactorily completed all the items in noncompliance then, BLM needs to issue another decision stating that they have established a record of noncompliance, a list of all remaining items to be corrected, what they need to do in order to correct the items in noncompliance, and a 100

percent reclamation bond would have to be required. I would recommend waiting until after the joint agency meeting to write this decision letter.

2. December 13, 1995 letter to Mr. King from you stated the following items needed to be completed: (1) sample DM-S-1A, from the lime/cyanide mixing tank, needs to have a reactivity test completed on it; (2) sample DM-S-4, from lead acid battery storage area, needs a toxic characteristic leaching procedure conducted on this sample; (3) contact DWQ to remove the underground hydrocarbon storage tanks and remediate hydrocarbon spills in accordance with applicable State and Federal laws; (4) additional sampling to verify water quality at the mine site; and (5) submission of an amended reclamation plan for this plan of operations. Have these items been completed?

3. Status of law suit between Western States Minerals Corporation (WSMC) and Jumbo Mining Company. This judgement concerns final determination of reclamation responsibility for the Drum Mine. I have a copy of a cover letter dated June 13, 1994 from Stephen D. Alfors, which states the Colorado court found that ASOMA (Utah) Inc. had agreed to take on all reclamation at the Drum Mine site as a part of its purchase contract with WSMC. I do not have a copy of the complete court order. This would have to be checked to see if the decision of the Colorado District Court was correctly interrupted.

4. A notice of noncompliance was issued by Winnemucca District Office. The status of this notice of noncompliance must be checked prior to acceptance of completion of all items in Utah's notice of noncompliance as satisfactorily completed. If they established a record of noncompliance in Nevada then all their activity requires a plan of operations and a 100 percent reclamation bond.

5. Topsoil availability issue, was it resolved satisfactorily? In a letter dated 2-8-95 from Jumbo Mining Company to Wayne Hedberg, UDOGM, stated that Jumbo completed a soil survey and verified that there was enough topsoil within the Drum Mine area to reclaim the entire operation. Is everyone satisfied with the information Jumbo Mining Company submitted to verify their conclusion that there is enough topsoil available (55,000 cubic yards) within the mine site area? In addition, this letter states that 70 back hoe test pits were dug to determine topsoil depth. The reclamation of these test pits needs to be addressed in the final reclamation plan.

Also, this letter states that the pre-existing ground water contamination on the site was caused by Western States. The Colorado Court Decision would have to be checked to determine if the court did establish the responsibility of cleaning up the ground water (CN, AR, and other metals) to Western States.

6. An inspection report dated July 9, 1992 indicates that 1992 drill hole was unplugged and another field examination would be required. This indicates to me that all inspection reports must be checked to determine what needs to be addressed in the final reclamation plan. If you require assistance in reviewing the case file for this type of information please bring the original case file or copy of it to the meeting next week. The other option is to mail the original case file to me at the Utah State Office so it is waiting for me when I get back. If I can, I will review it prior to the joint agency meeting; otherwise, I can review the first week back.

7. After the meeting with UDOGM, BLM might want to consult Dave Grayson regarding the joint agency approach to reclamation of the site, e.g., if UDOGM, BLM, and DWQ (Division of Water Quality) determine that Western States is responsible for the ground water contamination and therefore the cleanup of these problems, Jumbo Mining Company for reclamation of all the surface disturbance, etc. We will have to be sure that there is nothing in the case file that contradicts this approach.

8. I have a note that a right-of-way expired for the pipeline on the site. If the pipeline right-of-way has expired it needs to be renewed or reclaimed.

If you have any questions regarding my comments please call me at (614) 397-9173. I will be hard to reach on Wed. but available on Thurs. and Friday. Thanks for your patience in getting this information to you.